

**Legal Notice for City of Emmett  
Notice of Public Hearing**

**PROPOSED ANNEXATION 522 Mill Rd.**

The Emmett City Council will hold a public hearing on Tuesday February 11, 2020 at 7:00 PM at Emmett City Hall, 501 E. Main Street, Emmett, Idaho. The purpose of the public hearing is to allow comments regarding an application made by John Wyman to annex parcel RPC40200T00330 into the City, located at 522 S. Mill Rd. (06N 01W Sec 07 Ball Sub), consisting of 1.515 acres. The requested classified zone is R-3 Multi-Family. The Zoning Commission could recommend any of the following zoning classifications: R-1 (Single Family), R-2 (Two Family/Duplex), R-3 (Multi-Family), R-4 (Manufactured Home Park), C (Commercial), I (Industrial), MPD (Mixed Planned Development), or MUR (Mixed Urban Residential).

The application is available for review from 8:00 A.M. to 5:00 P.M. Monday thru Friday at the Zoning Office located at 601 E. 3<sup>rd</sup> St. Any written comments need to be received by the Zoning Office no later than 12:00 p.m. on, January 31, 2020.

If handicap provisions are needed for anyone wishing to attend the meeting, please call the City of Emmett Zoning Office at 365-9569 before the hearing date.

Brian Sullivan, Zoning Administrator

**PLEASE PUBLISH January 22, 2020**



# CITY OF EMMETT

## Zoning Commission

### Recommendation to City Council

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**Application:** Annexation with zoning classification

**Applicant:** John Wyman

**Date of Zoning Commission Public Hearing(s):** January 6, 2020

**Date of City Council Public Hearing:** February 11, 2020

**Summary of Public Testimony:**

- In Favor: Applicant
- Opposed: 1, wants growth to pay for itself, thinks a moratorium needs to be in place for development.
- Neutral: 1, doesn't want his property annexed.

**Recommendation:** Approval of the annexation of 1.52 acres with land being zoned R-3, multi-family residential per the findings in the application. Unanimous vote.

**Reason(s) and Findings for Recommendation:**

The Commission finds the proposed annexation conforms with the basic intent of the Comprehensive Plan and Future Land Use Map.

See the attached application/staff report for details.

**Possible Motion:**

I make a motion to approve the annexation with zoning classification of parcel number RPC40200T00330 for John Wyman and designate the zoning classification of R-3, multi-family residential, adopt the findings and staff analysis from the staff report, and direct staff to create an ordinance to bring back to Council for approval.

OR

I make a motion to deny the application by John Wyman for annexation with zoning classification for the following reason:

# **CITY of EMMETT ZONING COMMISSION**

## **Jan 6, 2020 Public Hearing and Meeting Minutes**

The Emmett City Zoning Commission held a Regular Meeting and Public Hearing on January 6th, 2020 at 6:00 p.m. at 501 E. Main Street, Emmett, Idaho.

**Commissioners Present:** Jeff Chapman, Marta Henry, Jeff Wiechmann, Gwen Earls, Kim Butler, Jennifer Frieboes

**Commissioners Absent:** None

**Staff Present:** Zoning Administrator, Brian Sullivan; Planning Clerk, Anna Marie Young

**Chairwoman Earls:** called the Public Hearing to order

### **Public Hearing on RZ #20-001**

**Commissioner Wiechmann:** Made a Motion to continue the hearing to the next scheduled ZC Meeting because the Applicant was not present.

**Commissioner Frieboes:** Seconded, Motion Passed

### **Public Hearing on ANN #20-001**

**Chairwoman Earls:** Asked the Commissioners if there was any exparte that needed to be disclosed? There was none.

**Zoning Administrator:** Went over the Annexation Application ANN #2020-01 Staff Report.

**Chairwoman Earls:** Asked for confirmation from the ZA that if the Commission recommends approval of this application that the four conditions asked for from Keller Associates be included? And if the Property Taxes need to be paid first?

**Zoning Administrator:** Correct, with any application it's better to include "All Staff Comments" (which Includes Keller Associates as he contracted staff) into the Motion to recommend for approval, and yes, all taxes would need to be paid before Annexation could be final.

**Applicant John Wyman:** 208 N Johns Ave, I made an offer to purchase this property dependent on Annexation with the City. Don't have any detailed plans but I just know that no matter what need sewer and water utilities. I'm a contractor with my own company and we will be developing the property in some fashion.

**Chairwoman Earls:** Asked for public comments on this Application?

**Joe Morton:** 5726 Silverleaf Extension, started with handouts to the Commission. Reason I'm testifying is because I am very concerned about our children's children. My background is in business and engineering. Not opposed to any development I'm just opposed to growth not paying for growth. He mentioned Governor Little's State of the State address and how the first topic was Schools. He read an excerpt from the Emmett School District's Superintendent Craig Woods, regarding the Payette River Orchards Subdivision (which was an agenda item from a previous meeting). He continued to talk about how the Legislature is not making it easy for local governments to pay for infrastructure improvements and the idea that School Impact Fees could be a possible solution.

**Chairwoman Butler:** Addressed the Chairwoman to say that she believes Morton's 5 minutes was up and that this was not the venue for such conversation. That the agenda item is on 522 S Mill Rd Annexation.

**Morton:** quickly finished by saying that the short-term solution is to put a moratorium on all building and zoning applications until a long-range plan was put in place for how growth will pay for growth.

**Chairwoman Earls:** Reminded Morton that the Zoning Commission will just be making a "recommendation" to City Council and that perhaps there is where can have another opportunity to raise his concerns. She made clear that the Zoning Commissions job is to make sure that the applications adhere to the City's current Zoning Ordinance.

**Kevin Healy:** 656 S Mill Rd, I live just two lots to the south of 522 S Mill Rd. I just wanted to make sure that forced annexation wasn't coming my way. I am happy in the County. Additional traffic is another concern.

**Zoning Administrator:** Assured Healy that the City has no intentions of any forced annexation at this time. State Statute requires that in such instances all affected parties would be given proper Public Hearing notification.

**Commissioner Wiechmann:** The main point of annexation has no effect on traffic but asked if there would be a future hearing before development of any kind?

**Zoning Administrator:** Explained that when they get to that point of development, they will have a traffic review done, which is done at the staff level with the Public Works, Engineer, and that a public hearing is not required for that.

**Chairwoman Earls:** Asked if any other questions from the Commission or public?

**Chairwoman Earls:** Closed the public hearing

## **Regular Meeting**

**Chairwoman Earls:** called the meeting to order, roll call (see above)

Pledge of Allegiance said.

**Approval of Nov 4<sup>th</sup> 2019 Minutes:**

**Vice Chairwoman Butler:** Motioned to approve the minutes

**Commissioner Henry:** seconded, Motion Passed

**Decision of ANN #2020-01:**

**Commissioner Wiechmann:** I don't see any reason to not approve.

**Vice Chairwoman Butler:** Motioned to recommend approval of ANN #20-001 to City Council from County to R-3 Zone, including adoption of conditions and the accompanying staff report.

**Commissioner Wiechmann:** Seconded, Motioned Passed

**Items from the Public:** none

**Unfinished Business:** none

**Items from the Commission:**

**Chairwoman Earls:** I want to talk about what happened early during public comment. The only thing I regret is that I didn't give the time limit announcement up front.

**Zoning Administrator:** You did the right thing, whenever someone is not speaking to the agenda-item that is being discussed you can stop further comment immediately.

**Vice Chairwoman Butler:** asked if staff could put together some language/verbiage the ZC could refer to, something that we can say to the public when we are in that situation or questioned what our role is here.

**Chairwoman Earls:** What is the commissions favor 3 min limit or 5 min limit? And what about the same people coming up multiple times?

**Zoning Administrator:** 3 min is standard, and you can do limits like 2 or 3 times

**Chairwoman Earls:** It's my job to start the meeting with these public comment guidelines and to explain clearly before we begin what is the role of the ZC, specific to the application on the agenda.

**Commissioner Wiechmann:** I think the minute-limit should depend on the topic at hand, e.g. big subdivision- more latitude needs to be given people need to have their voices heard.

**Items from the Building Official/ Zoning Administrator:**

Zoning Administrator: Next meeting Feb 3<sup>rd</sup>, another annexation, 2030 S Washington Ave. wants to annex for sewer and water and Officer elections to vote on. It's important when we ask for a response, we get a response. Expects Meeting Packets to be emailed out the Thursday before the meeting.

**Chairwoman Earls:** Meeting adjourned

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Chairwoman, Gwen Earls

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Acting Secretary



**CITY OF EMMETT  
PLANNING & ZONING DEPARTMENT**

**APPLICATION FOR  
ANNEXATION**

**DESCRIPTION:** ANNEXATION W/ZONING CLASSIFICATION, 1.52 ACRES

**APPLICATION NUMBER:** ANN#20-001

**ZONING COMMISSION HEARING DATE:** JANUARY 6, 2020 @ 6:00

**APPLICANT:** JOHN WYMAN  
208 N. JOHNS  
EMMETT, ID 83617

**PROPERTY OWNER:** JOSH BISHOP

**SUBJECT PROPERTY LOCATION:** 522 S. MILL ROAD, THE NW ¼ OF THE SW ¼ OF  
SECTION 7, TOWNSHIP 6 N., R. 1 W., B.M., GEM  
COUNTY, IDAHO.

**PARCEL#:** RPC40200T00330

**STAFF PLANNER:** BRIAN SULLIVAN

**1. APPLICATION SUMMARY:**

The purpose of this application is to request annexation with zoning classification of a parcel of land located at 522 S. Mill Road into the City of Emmett. The existing county zoning classification is A-2, Rural Transitional Agriculture, and the requested city zoning classification is R-3, Multi-Family. This area is eligible to request annexation as it is within the Area of City Impact and contiguous to the existing city limits. The area to be annexed is approximately 1.52+- acres and has frontage on S. Mill Road.

ECC 9-15-10, Annexation Procedures, outlines the complete application and review process for annexation requests. Section E.13 allows the Administrator to require certain types of studies, depending upon the size and location of the proposed annexation. Staff's determination is that the review of the annexation application can proceed without these studies.

**2. APPLICATION PROCESS FACTS:**

A. Application Submittal:

The complete application for this item was filed by the John Wyman on November 18, 2019.

B. Notice of Public Hearing:

Notice of Public Hearing on the application for the Emmett Zoning Commission was published in accordance with requirements of Title 67, Chapter 6509, Idaho Code on December 18, 2019 in the Messenger Index. The physical property was posted on December 23, 2019.

C. Relevant Ordinances and Required Actions:

The subject application will in fact constitute an Annexation application as determined by Emmett City Code (ECC) 9-15-10A - D. By reason of the provisions of the ECC Title 9, Chapter 15, a public hearing is required before the Zoning Commission ("Commission") and the City Council ("Council") on this matter. The Commission must make a recommendation to the Council and make findings of fact and conclusions of law relating to compliance with the Comprehensive Plan, per ECC 9-15-10H.

3. APPLICATION & PROPERTY FACTS:

A. Site Address/Location:

The area to be annexed contains approximately 1.52 acres and fronts S. Mill Road. The west and east side of the property touch the city limits.

4. LAND USE

A. Existing Land Use(s): Bare land with a shop located at the northwest corner of the property.

B. Description of Character of Surrounding Area: This vicinity is comprised of vacant land to the north, single-family residence to the south and east. Twin Buttes Subdivision is located across S. Mill Road to the west.

C. Adjacent Comprehensive Plan, Zoning and Land Use:

	COMP PLAN DESIGNATION	ZONING DESIGNATION	LAND USE
North of site	Area of City Impact	A-2 Rural Transitional Ag. – County R-2, Duplex-City	Bare land 3 Duplex's
South of site	Area of City Impact	A-2 Rural Transitional Ag-County	Single-Family Resident
East of site	Area of City Impact	R-3 Multi-Family Residential	Single-Family residential and vacant land
West of site	Area of City Impact	R-1 Single-Family Residential	Twin Buttes Subdivision

D. Existing Site Characteristics: Vacant land with shop.

E. Streets and/or Access Information: Parcel has access to S. Mill Road and Jacobson Lane to the east.

5. COMPREHENSIVE PLAN POLICIES & GOALS [Staff comments and analysis are shown in *italics*.]

The following policies in the Gem Community Joint Comprehensive Plan support approval of this application. The Commission and Council need to consider these and any other policies you deem



appropriate in reviewing and deciding on the application:

### CHAPTER 3 – HOUSING

- GC 3 Future Conditions: – Continuous planning must occur to reflect the changing economic conditions and/or policies locally and statewide. The Gem Community must recognize and anticipate that future national and state energy policies will impact housing standards.  
In planning for residential growth, various densities and housing types should be allowed. Examples of housing types include multi-family, duplex, townhouses, zero-lot-line development, and single-family detached.
- GC 3 General Housing Goal Statement: – The Gem Community recognizes that housing is one of the most basic and important human needs. All citizens must be provided with the opportunity for adequate housing. Housing policies focus on these areas:
  - A. Encourage development within the Emmett Area of City Impact and Rural Residential areas in the County.
  - B. Encourage workforce housing (affordable to households earning from 80% to 140% of the Area Median Income) in the Gem Community.
  - C. Encourage diversified housing including single-family, multi-family and rental housing.

*These sections of the comp plan support multi-family housing as planning for residential growth.*

### CHAPTER 9 - PUBLIC SERVICES AND UTILITIES

- GC9.1.2: Policies for City of Emmett-Encourage annexations within the Impact Area for hook-up to municipal services.
- GC9.2.3 – Revise the zoning and subdivision ordinances and adopt, as necessary, specialized planning tools or development review guidelines, based on the Comprehensive Plan.

*This application is a Zoning Amendment application which updates the official zoning map of the City of Emmett and, in that sense, is a revision to the ordinance to keep-up with development changes. The proposed zoning is found to be in accordance with the Comprehensive Plan, which designates adjacent, developable areas for residential uses.*

### CHAPTER 12 – LAND USE

- Area of City Impact – These land areas are generally adjacent to arterials and are anticipated for a variety of residential densities. Residential areas in close proximity of city limits, activity centers and public transportation routes should range in density from 3-25 units per acre.  
*This statement supports multi-family.*
- 12c.2 – Residential areas may be serviced by municipal sewer or water within the City Impact area. When the property becomes contiguous with the City of Emmett, annexation will be evaluated.  
*The west border of the parcel fronts S. Mill Road and the City limits. Municipal water is located in S. Mill Road, and sewer will be accessed from Jacobson Lane to the east.*
- 12.8 – Protect citizen investments in existing public facilities by managing growth through community planning, reviews and development agreements and fees.

*Staff feels that a development agreement is not needed in the case of residential zoning. The residential zoning classification blends in with the surrounding land use.*

## 6. REQUIRED COMMISSION FINDINGS & STAFF ANALYSIS

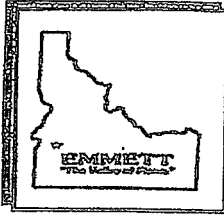
Emmett City Code 9-15-10. H., Commission Review, requires the Commission to make the following findings for any annexation application before recommending approval to the Council: (staff analysis in *italics*)

- A. Determine whether the proposed annexation will be harmonious and in accordance with the specific goals and policies of applicable components of the Gem Community Comprehensive Plan.

*The analysis of the Gem Community Comprehensive Plan is provided in Section 5 above. Staff finds the property included in this annexation request lies within the "Area of City Impact" designation of the Future Land Use Map in the Joint Comprehensive Plan. Chapter 12 of the Gem Community Comprehensive Plan describes the intent and development goals of this area. Land in this area is slated to be annexed and zoned when it becomes contiguous with the city limits and when urban services are available.*

- B. Recommend that the property sought to be annexed should be zoned as one or more zoning districts (as more fully described in the Emmett Zoning Ordinance).

*Staff recommends the Commission support the proposed zoning classification of R-3, Multi-Family Residential for the 1.52 acres and recommend approval of the annexation to City Council.*



CITY OF EMMETT  
MASTER PUBLIC HEARING APPLICATION

601 E. 3rd Street, Emmett, Idaho 83617 www.cityofemmett.org phone: (208) 365-9569 fax: (208) 365-4651

TYPE OF APPLICATION: (Please check all that apply.)

- |  |  |  |
|--|--|--|
| <input checked="" type="checkbox"/> ANNEXATION             | <input type="checkbox"/> DEVELOPMENT AGREEMENT       | <input type="checkbox"/> SUBDIVISION, MODIFICATION |
| <input type="checkbox"/> APPEAL                            | <input type="checkbox"/> REZONE                      | <input type="checkbox"/> VACATION                  |
| <input type="checkbox"/> COMPREHENSIVE PLAN TEXT AMENDMENT | <input type="checkbox"/> SPECIAL USE PERMIT          | <input type="checkbox"/> VARIANCE                  |
| <input type="checkbox"/> COMPREHENSIVE PLAN MAP AMENDMENT  | <input type="checkbox"/> SUBDIVISION, PRELIMINARY    | <input type="checkbox"/> ZONING TEXT AMENDMENT     |
| <input type="checkbox"/> DESIGN REVIEW                     | <input type="checkbox"/> SUBDIVISION, FINAL          |  |
|  | <input type="checkbox"/> SUBDIVISION, COMBINED/MINOR |  |

PROJECT NAME: 522 M. U Road

SITE INFORMATION:

(This information can be found on the Assessor's property information assessment sheet.)

Quarter: Northwest Section: 7 Township: 6N Range: 1W Total Acres: 1.52

Subdivision Name (if applicable): N/A

Lot: \_\_\_\_\_ Block: \_\_\_\_\_

Site Address: 522 M. U Road

City: Emmett

Tax Parcel Number(s): R.R. 40200 T00330 Current Zoning: A-2 Current Land Use: Bar land with shop bldg.

PROPERTY OWNER:

Name: Josh Bishop

APPLICANT:

Name: John Wyman

Address: 1769 W. Pyramid Peaks

Address: 201 N. John's Ave

City: Boise State: ID Zip: 83709

City: Emmett State: ID Zip: 83617

Telephone: 208 944-3264 Fax: \_\_\_\_\_

Telephone: 208 863-2465 Fax: \_\_\_\_\_

Email: j.wyman@emmett.com

I consent to this application and allow City staff to enter the property for site inspections related to this application.

I certify this information is correct to the best of my knowledge.

12/11/2019

Signature: (Owner)

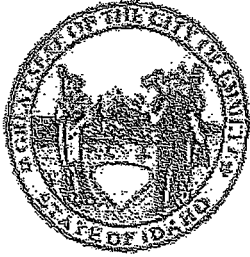
Date Signature: (Applicant)

Date

NOTE: THIS APPLICATION MUST BE SUBMITTED WITH THE APPLICABLE CHECKLIST (S).

OFFICE USE ONLY

File No.: \_\_\_\_\_ Received By: \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_ Receipt No: \_\_\_\_\_



Emmett Zoning Department  
 601 E. 3<sup>rd</sup> St. Emmett, Idaho, 83617  
 Brian Sullivan:  
 bsullivan@cityofemmett.org  
 Doriceka Millan-Sotelo: dmillan-  
 sotelo@cityofemmett.org  
 Ph. (208)365-9569 F. (208)365-4651

## Affidavit of Legal Interest

I, Joshua James Bishop, residing at 1769 N Pyramid Peaks Ranch Rd,  
 being first duly sworn upon oath, depose  
 and say:

1. That I am the record owner of the property described on the attached, and I grant my permission to John E. Wanner to submit the accompanying application pertaining to that property.
2. I agree to indemnify, defend and hold Emmett City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property, which is the subject of the application.

Dated this 18<sup>th</sup> day of November, 2019.

\* [Signature]  
 Signature

State of Idaho)

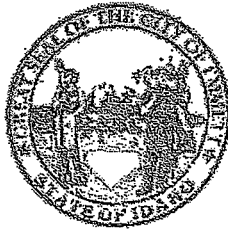
County of Ada S.S.

On this 18<sup>th</sup> day of Nov, in the year of 2019, before me  
the undersigned a notary public, personally appeared Joshua James Bishop  
 proved to me on the basis of satisfactory evidence to be the person whose name is  
 subscribed to the within instrument, and acknowledged that he/she executed the same.

VICTORIA SLEKAR  
 COMMISSION #85652  
 NOTARY PUBLIC  
 STATE OF IDAHO  
 (Seal)

[Signature]  
 Notary Public

Residing in Eagle, Idaho  
 Commission Expires 5/26/2024 My Commission Expires on \_\_\_\_\_



## Annexation Application

### Property Owner Consent:

By signature hereon, the property owner acknowledges that City officials and/or employees may, in the performance of their functions, enter upon the property to inspect, post legal notices, and/or other standard activities in the course of processing this application, pursuant to Idaho Code §67-6507. The property owner is also hereby notified that members of the Zoning Commission and City Council are required to generally disclose the content of any *ex parte* discussion (outside the hearing) with any person, including the property owner or representative, regarding this application.

Property Owner's Signature: \_\_\_\_\_

Date: 11/18/2015

Name of Registered Surveyor/Engineer: Eagle Hand Surveying

Mailing Address: 106 W. Main St. Unit # Middleton ID 83644

Phone: (208) 861-7513 Fax: ( ) \_\_\_\_\_ Cell: ( ) \_\_\_\_\_

Zoning: Current Zone (County) A-2 Proposed zone (City) R-3

### Submittal Requirements:

- Fee up to 5 acres - \$475.00  
More than 5 but less than 50 acres - \$700.00  
More than fifty acres - \$1200.00
- A vicinity map showing the general area of the annexation-1/2 mile radius.
- A metes and bounds legal description. For zoning purposes, said legal shall describe to the centerline of any adjacent public streets plus 25 feet on the opposite side of centerline. If the public street is fee simple ownership by a public entity, the legal shall include all of the existing right-of-way.
- A digital copy of the legal description. (.pdf or word document)
- A parcel map, to scale, showing accurate boundaries of the parcel proposed for annexation.
- A schematic design of the entire project showing the proposed uses, density, streets, alleys, easements, and proposed size and location of open spaces and parks.
- One 11" x 17" copy of any larger plans and/or maps accompanying the application.
- Proof of ownership interest in the subject property.
- A phasing plan showing the proposed dates of construction and completion of phased construction for infrastructure, streets, alleys, utilities and all other development. In the case of a phased project, items C and D of Section 9-15-10-E of the attached Annexation Ordinance No. 02005-12 may be omitted for future phases; however provisions shall be made within an annexation agreement for submittal of plans and payment of fees for future phases.
- Unless the Administrator determines, in the Administrator's sole and absolute discretion, one or more of the

following studies are not warranted based on the size, scope and impact of a proposed annexation, the following studies shall be submitted:

- a) Traffic study showing impact on adjacent streets and streets that would serve the proposed project.
  - b) Floodplain study (if applicable).
  - c) Soils study (if applicable).
  - d) Wetland study (if applicable).
  - e) Wildlife study.
  - f) Contour map depicting 15% and 25% slope lines measured at two foot (2') intervals.
- A fiscal impact analysis or an updated fiscal impact analysis in accordance with Section 9-15-10-I(B). The analysis may be submitted at the time of the application for annexation, or when the application is reviewed by the Emmett City Council ("Council") as set forth in Section 9-15-10-I.
  - Narrative statement describing the following eight items:
    1. How the proposed project complies with specific goals and policies of the Gem Community Comprehensive Plan.
    2. How the proposed project is compatible with adjacent neighborhood(s).
    3. How applicable natural resources (e.g., water courses, springs, streams, wildlife and access to public lands) and natural hazards (e.g., floodplains and floodways) are incorporated into proposed project and/or mitigated.
    4. What contributions and/or dedications the applicant is willing to make as part of the proposed annexation.
    5. How the proposed annexation will protect Emmett's established or proposed wellhead protection zones.
    6. How the annexation will impact the existing municipal infrastructure and services (e.g., water, sewer, streets, library, police, fire and parks).
    7. Who will maintain the streets, alleys, parks and utilities (privately and publicly owned utilities) and how the maintenance of the streets, alleys, parks and utilities (privately owned utilities) will be funded.
    8. The proposed project, including the approximate a) number and size of proposed lots, b) length and location of the proposed water and sewer mains, c) length and location of proposed streets and alleys, and d) length and location of the proposed sidewalks.

### Checklist

SUBMITTALS	APPLICANT	STAFF
	(X)	(X)
FEE		✓
VICINITY MAP		✓
LEGAL DESCRIPTION		✓
DIGITAL COPY		N/A
PARCEL MAP		✓
SCHEMATIC DESIGN		N/A
11 X 17 COPY		N/A
PROOF OF OWNERSHIP		✓
PHASING PLAN		N/A
STUDIES		N/A
FISCAL IMPACT ANALYSIS		N/A

NARRATIVE STATEMENT	✓	✓
PROPERTY OWNER LIST WITHIN 300'	N/A	

The Administrator reserves the right to not officially accept this application until total review is accomplished and all required information is submitted. The date of the public hearing will be established by the Administrator upon the acceptance of a completed application.

Additional fees for services rendered (including, but not limited to fees for City Attorney, City Engineer, and Staff) to be negotiated before application is certified as complete.

The applicant shall pay all publication costs associated with the annexation application.

*Cost of additional noticing, recording fees, and other direct costs will also be assessed.*

Applicant's Signature:  Date: 11/18/2019

**\*\*FOR OFFICE USE ONLY\*\***

APPLICATION COMPLETION DATE: 11-18-19 COMMISSION HEARING DATE: 1-6-20

Narrative Statement for the proposed annexation of 522 Mill Road

Item 1: Proposed annexation is in line with goals laid out in Chapter 3 of Gem Community Comprehensive Plan to provide affordable housing close to the downtown.

Item 2: The adjacent neighborhoods have a mix of single family housing and multi-family housing so annexation request of R-3 would be compatible.

Item 3: N/A

Item 4: N/A

Item 5: Subject property is zoned A-2 in the county currently but since it is only approx 1.5 acres it needs to be annexed so city waters and sewer can be provided. That would eliminate the need for a well or wells and septic systems.

Item 6: The subject property is only approx. 1.5 acres and city services are close enough to be extended to the property. It will have very little impact on the existing infrastructures.

Item 7: N/A

Item 8: Once the subject property is annexed to the city I will submit for a one time lot split to separate and existing shop structure with enough property to build an adjacent house. The balance of the property approx. 1.25 acres I have not yet formulated a plan. The annexation would allow the extension of water and sewer to the shop and new dwelling as well as future services to the remaining property.







CITY OF EMMETT  
PUBLIC WORKS DEPARTMENT  
601 East 3<sup>rd</sup> Street  
Emmett, Idaho 83617

**Clint Seamons**  
Director  
Public Works Dept.

Gordon Petrie, Mayor  
Michelle Welch, City Council President  
Lyleen Jerome, City Clerk  
Jake Sweeten, Attorney

Councilman: Mike Stout  
Eltona Henderson  
Shawn Alder  
Steve Nebeker  
Gary Resinkin

Emmett Zoning  
Attn: Brian Sullivan

Applicant: John Wyman  
Address: 522 S. Mill Road. Emmett  
File Number: Ann 20-001  
Mr. Sullivan,

Emmett Public Works has no comments at this time of Annexation.

**Clint Seamons**  
Public Works Director

*Gem County  
Road & Bridge Dept.  
402 North Hayes Ave.  
Emmett, ID 83617-2646*



*Neal Capps, Director  
Phone: 208-365-3305  
Fax: 208-365-2530  
Email: [ncrb@co.gem.id.us](mailto:ncrb@co.gem.id.us)*

December 16, 2019

Brian Sullivan  
601 E. 3<sup>rd</sup> St.  
Emmett, ID 83617

RE: Proposed Annexation located at 522 S. Mill Road.

Brian,

I have reviewed the proposed annexation for 522 S. Mill Road, and have no comments.

Thank you,

A handwritten signature in black ink, appearing to be "Neal Capps", written in a cursive style.

Neal Capps,  
Gem County Road & Bridge

**Brian Sullivan**

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**From:** King, Shelley <SKing@idahopower.com>  
**Sent:** Monday, December 16, 2019 11:05 AM  
**To:** Brian Sullivan  
**Subject:** RE: COMMENTS REQUESTED for Proposed Annexation 522 S. Mill Rd.

Idaho Power has no comment concerning the annexation of the property above.

Thank you,

**Shelley King**  
**Regional Designer Leader**  
1550 S Main St. | Payette, ID | 83661  
**Work** 208-642-6278  
sking@idahopower.com

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**From:** Anna Marie Young <[ayoung@cityofemmett.org](mailto:ayoung@cityofemmett.org)>  
**Sent:** Monday, December 16, 2019 8:57 AM  
**To:** Anna Marie Young <[ayoung@cityofemmett.org](mailto:ayoung@cityofemmett.org)>  
**Cc:** Brian Sullivan <[bsullivan@cityofemmett.org](mailto:bsullivan@cityofemmett.org)>; Jake Sweeten <[jsweeten@capitolawgroup.com](mailto:jsweeten@capitolawgroup.com)>; Doricela Millan-Sotelo <[dmillan-sotelo@cityofemmett.org](mailto:dmillan-sotelo@cityofemmett.org)>  
**Subject:** [EXTERNAL]COMMENTS REQUESTED for Proposed Annexation 522 S. Mill Rd.

**KEEP IDAHO POWER SECURE!** External emails may request information or contain malicious links or attachments. Verify the sender before proceeding, and check for additional warning messages below.

---

Good Morning,

Please review the attached Annexation Application and send us your comments **by Friday Dec 27<sup>th</sup>**. Even if you don't have any comments, please provide us a letter stating you have no comments for the record.

Thank you so much!

*~Anna Marie Young*

City of Emmett, Planning Clerk  
Building & Public Works Dept.  
601 E 3<sup>rd</sup> St. Emmett, ID 83617  
(208) 365-9569  
[ayoung@cityofemmett.org](mailto:ayoung@cityofemmett.org)



---

**IDAHO POWER LEGAL DISCLAIMER**



151 SW 5th Ave, Suite A  
Meridian, ID 83642  
(208) 288-1992

December 27, 2019

Clint Seamons  
City of Emmett, Idaho  
Public Works Director  
316 East Park Street  
Emmett, ID 83617

**Re: City of Emmett—Annexation Application for 522 Mill Road Property**

Keller Associates, Inc. has reviewed the Annexation application for the 522 Mill Road dated December 16, 2019. We reviewed the applicant's package to check conformance with the City's Ordinances. This development is proposing to annex and rezone the property from A-2 (county) to R-3 zoning. The comments below identify some items of question that will require clarification, and a few requirements that will be placed on the development. Some of the questions and comments listed below would typically be addressed later in design, but are included now for consideration by the City.

1. Existing structures should be shown on the site plan to show how new improvements will impact the existing site features.
2. Proposed/required setback lines should be shown on the site plan.
3. Historic irrigation lateral, drain, and ditch flow patterns shall be maintained unless approved in writing by the local irrigation district or ditch company.
4. 10-foot easements for pressure irrigation lines will need to be shown once the applicant determines the alignment location(s) for the facilities. Show all ditch and drainage easements.

We recommend that the Annexation be **APPROVED with the conditions listed above**. Any variance or waivers to the City of Emmett standards, ordinances, or policies must be specifically approved in writing by the City. Approval of the above referenced Annexation does not relieve the Registered Professionals of those responsibilities.

If you should have any questions, please feel free to contact me at (208) 288-1992.

Sincerely,

**KELLER ASSOCIATES, INC.**

A handwritten signature in black ink, appearing to read "Ryan V. Morgan".

Ryan V. Morgan, P.E.  
City Engineer

cc: File

## Anna Marie Young

---

**From:** Sharron Wiley <swiley@co.gem.id.us>  
**Sent:** Friday, December 27, 2019 5:00 PM  
**To:** Anna Marie Young  
**Subject:** RE: COMMENTS REQUESTED for Proposed Annexation 522 S. Mill Rd.

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good Afternoon...

I have reviewed this.. I have no comments for this review at this time

---

**From:** Anna Marie Young [mailto:ayoung@cityofemmett.org]  
**Sent:** Monday, December 16, 2019 8:57 AM  
**To:** Anna Marie Young <ayoung@cityofemmett.org>  
**Cc:** Brian Sullivan <bsullivan@cityofemmett.org>; Jake Sweeten <jsweeten@capitolgroup.com>; Doricela Millan-Sotelo <dmillan-sotelo@cityofemmett.org>  
**Subject:** COMMENTS REQUESTED for Proposed Annexation 522 S. Mill Rd.

Good Morning,

Please review the attached Annexation Application and send us your comments **by Friday Dec 27<sup>th</sup>**. Even if you don't have any comments, please provide us a letter stating you have no comments for the record.

Thank you so much!

*~Anna Marie Young*

City of Emmett, Planning Clerk  
Building & Public Works Dept.  
601 E 3<sup>rd</sup> St. Emmett, ID 83617  
(208) 365-9569  
[ayoung@cityofemmett.org](mailto:ayoung@cityofemmett.org)



GEM COUNTY CONFIDENTIALITY DISCLAIMER: *This message (including any attachments) may be privileged, confidential and/or protected from disclosure under applicable law. It is intended only for the use of the individual or entity above-named. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you are not the intended recipient please notify the sender by reply email and immediately delete this email.*

OFFICE OF  
Megan Keene  
TREASURER  
TAX COLLECTOR  
PUBLIC ADMINISTRATOR

GEM COUNTY



415 E MAIN STREET  
ROOM 200  
EMMETT, IDAHO 83617  
(208) 365-3272

December 24, 2019

City of Emmett  
Zoning Commission  
Attn: Brian Sullivan, Zoning Administrator  
601 E. 3<sup>rd</sup> Street  
Emmett, ID 83617

RE: Annexation with Rezone (John Wyman, Applicant)  
Loc: 522 S. Mill Road  
PIN: RPC40200T00330  
FILE NO.: Ann 20-001

Dear Brian,

After reviewing the Annexation with Rezone Application for the above applicant, following are my comments concerning the subject parcel:

Parcel RPC40200T00330 has 2019 taxes owing in the amount of \$256.14.

*\*\*Please note--Splits, Combos, PBAs, Platted Subdivisions, and Manufactured Homes Declared Real need to be correctly recorded by no later than May 1, 2019, in order to show up in the 2019 Assessment Roll and 2019 Tax Roll. Anything recorded after that date will be valued and taxed based on how the property was as of January 1, 2019.*

If you have any questions please feel free to contact the Treasurer's office.

Sincerely,

A handwritten signature in cursive script that reads "Megan Keene".

Megan Keene  
Gem County Treasurer

:mm

INDEPENDENT SCHOOL DISTRICT OF EMMETT  
#221

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Craig Woods, Superintendent

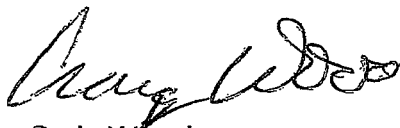
December 17, 2019

Brian Sullivan  
Zoning Administrator  
City of Emmett Zoning Commission  
601 E 3<sup>rd</sup> St  
Emmett ID, 83617

Brian Sullivan:

At this time Emmett Independent School District 221 does not have any current concerns regarding the application made by John Wyman for annexation of certain unincorporated properties located at 522 S Mill Rd in Emmett.

Respectfully,



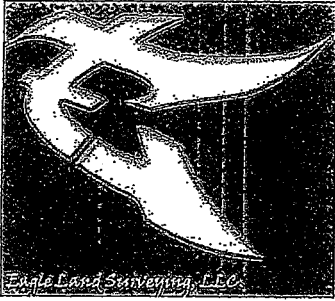
Craig Woods  
Emmett School District Superintendent

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Emmett Ensures Educational Excellence

400 Pine St. Suite 1, Emmett, ID. 83617 Phone (208) 365-6301 Fax (208) 365-2961  
[www.emmettschools.org](http://www.emmettschools.org)





Job No. 2019-164  
J.B.F.  
11-25-19

**BOUNDARY DESCRIPTION  
FOR  
JOHN WYMAN**

**Overall Parcel**

Part of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 7, Township 6 North, Range 1 West of the Boise Meridian, Gem County, Idaho described as:

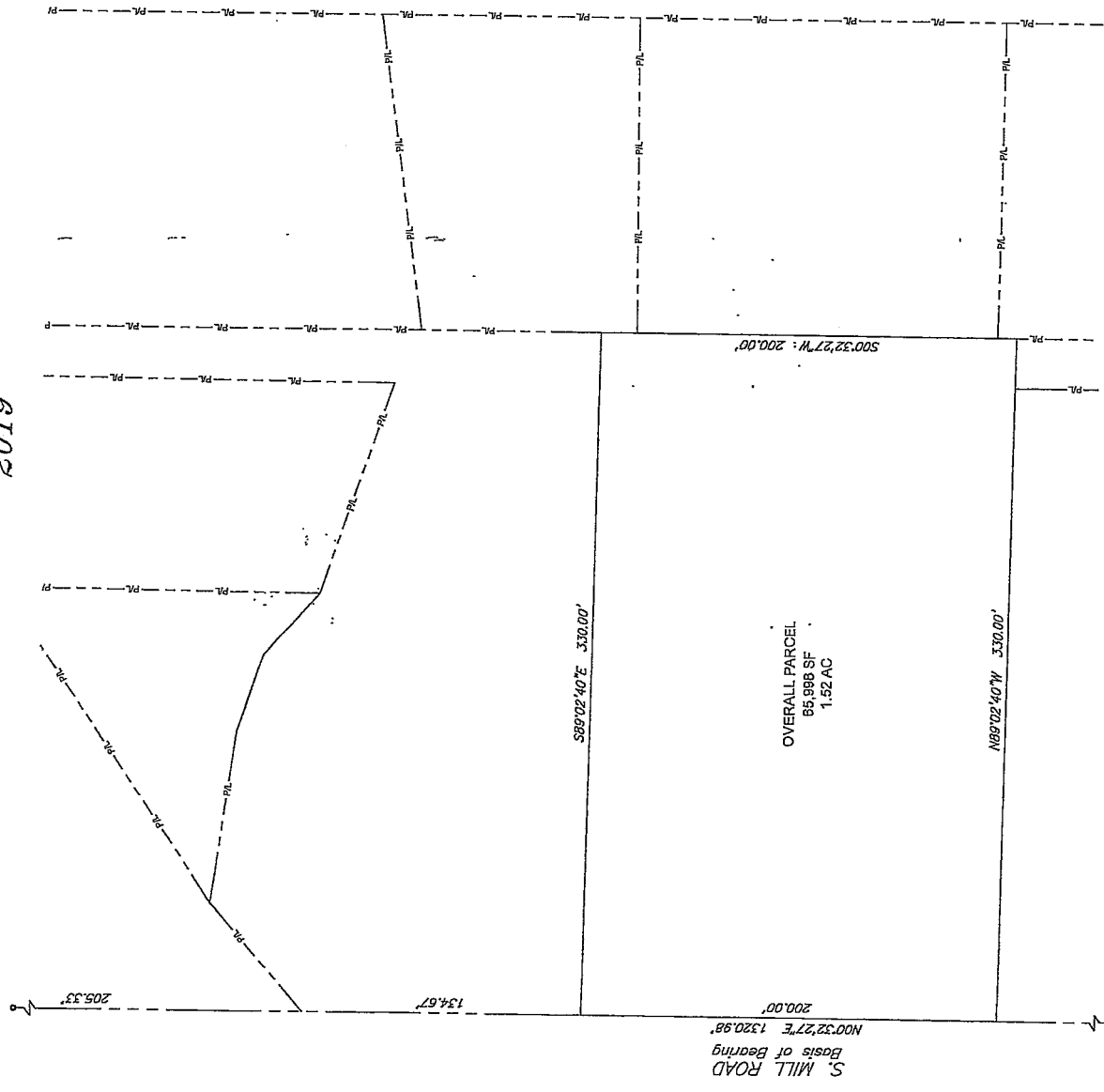
Beginning at the West Quarter corner of Section 7, Township 6 North, Range 1 West of the Boise Meridian, Gem County, Idaho and running thence  $S00^{\circ}32'27''W$  340.00 feet along the West line of said Section to the Point of Beginning; thence  $S89^{\circ}02'40''E$  330.00 feet parallel with said North line; thence  $S00^{\circ}32'27''W$  200.00 feet parallel with the West line of said Section; thence  $N89^{\circ}02'40''W$  330.00 feet parallel with the North line of the Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of said Section to a point on the West line of said Section; thence  $N00^{\circ}32'27''E$  200.00 feet along said West line to the Point of Beginning.

Parcel contains 65,998 square feet or 1.52 acres, more or less.

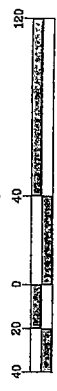


PART OF THE NW 1/4 OF THE SW 1/4 OF  
SECTION 7, T. 6 N., R. 1 W., B.M.  
GEM COUNTY, IDAHO  
2019

W 1/4 COR. SEC. 7



S 1/8 COR. SEC. 7

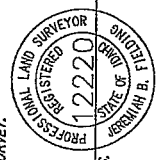


LEGEND

- Calculated Point
- ⊕ Found Brass Cap
- ⊙ Found 5/8" rebar
- ⊖ Found 1/2" rebar
- ( ) Record Distance
- PL — New Boundary Line
- PL --- Property Line
- Section Line

SURVEYOR'S CERTIFICATE

I, JEREMIAH B. FIELDING, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.



JEREMIAH B. FIELDING, P.L.S. IDAHO LICENSE NO. 12220

EAGLE LAND SURVEYING, LLC.  
105 W. MAIN ST., SUITE B, WOODRIDGE, ID 83454  
(208) 461-5653, PH: 12220@eagleland.com

SITE PLAN			
JOHN WYMAN			
SEC. 7 T. 6 N., R. 1 W., B.M.			
DATES:	11-25-19	PROJECT:	19-164 SURVEY
DRAWN BY:	JBF	CHECKED BY:	JBF
CREATED BY:	JBF	DATE:	11-25-19
SCALE:	AS SHOWN	BY:	JBF

INDEX # 614-7-4-9-00-00

From: Josh Bishop  
Sent: Monday, October 21, 2019 9:11 AM  
To: jewyman@msn.com  
Subject: 522 S. Mill, Plot Map and legal description

Mr. Wyman,

Please see attached plot map and legal description of the property at 522 S. Mill Rd.

EXHIBIT A

A portion of the West 10 acres of Lot 2, Section 7, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho described as follows:

From the West 1/4 corner of said Section 7, run East on the 1/4 Section line 288 feet; thence from South 55°15' West, 264 feet to the Point of Beginning of the land being described; thence South 86°30' East 69 feet; thence South 66°00' East 186 feet; thence North 230.8 feet to the North line of said Lot 2; thence East on said North line 24 feet to the East line of the West 10 acres of said Lot 2; thence South on said East line 338 feet; thence West 34 feet; thence North parallel to Section line 288 feet; thence West 306 feet to Section line; thence North on section line 134 and 2/3 feet; thence Northeasterly 130 feet, more or less, to said Point of Beginning.

Together with all water and ditch rights unto said premises belonging or used in the irrigation of the same.

LESS THE FOLLOWING DESCRIBED PROPERTY.

A portion of the West 10 acres of Lot 2, Section 7, Township 6 North, Range 1 West, Boise Meridian, Gem County, Idaho described as follows:

From the West 1/4 corner of said Section 7, run East on the 1/4 Section line 284 feet; thence South 55°15' West 264 feet to the Point of Beginning of the land being described; thence South 86°30' East 69 feet; thence South 66°00' East 186 feet; thence North 230.8 feet to the North line of said Lot 2; thence East on said North line 24 feet to the East line of the West 10 acres of said Lot 2; thence South on said East line 340 feet; thence West 330 feet to section line; thence North on Section line 134 and 2/3 feet; thence Northeasterly 130 feet, more or less to said Point of Beginning.

Together with all water and ditch rights unto said premises belonging or used in the irrigation of the same.

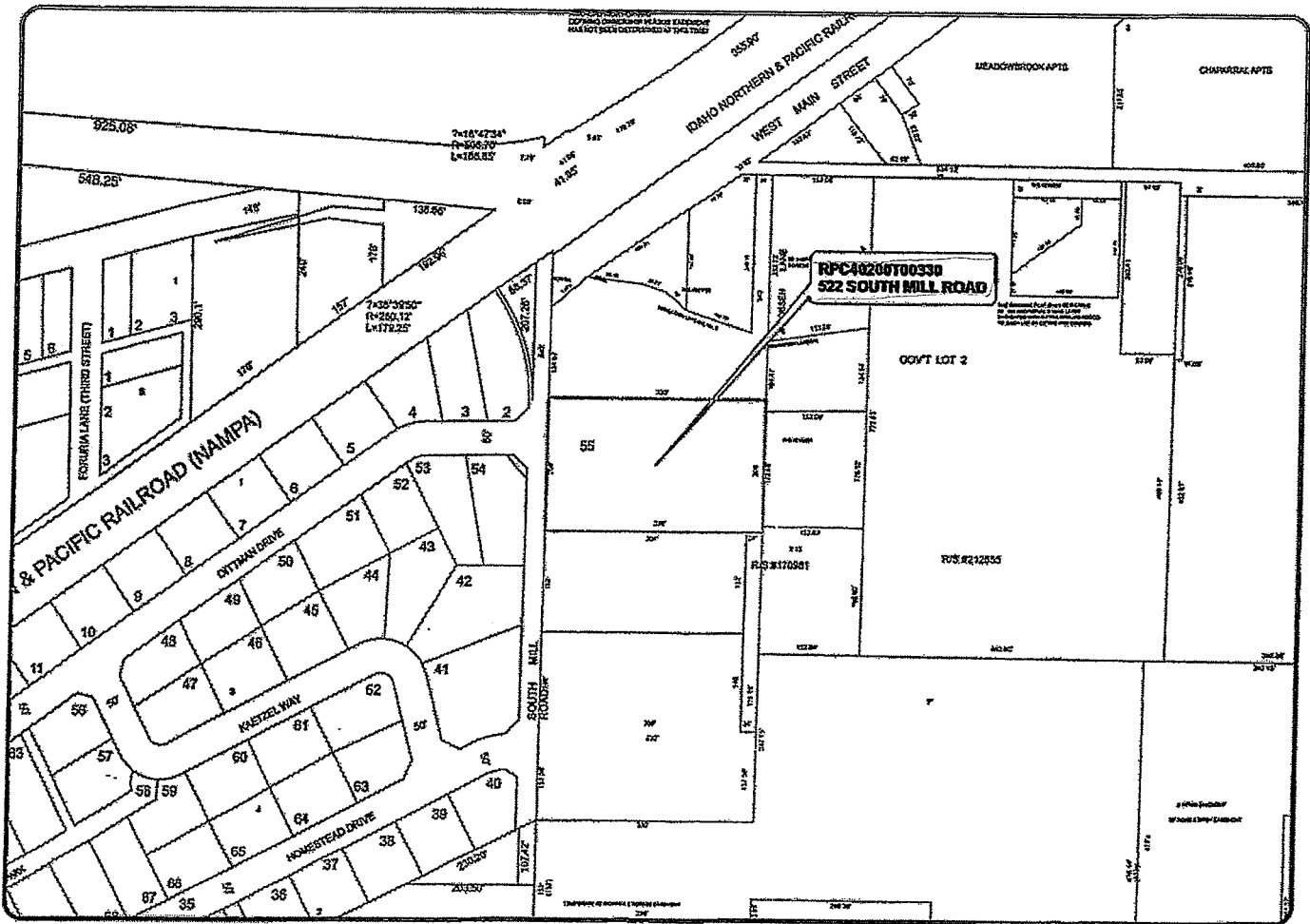
LESS THE FOLLOWING DESCRIBED PROPERTY:

A tract of land in a portion of US Government Lot 2, Section 7, township 6 North, Range 1 West, Boise Meridian, Gem County Idaho, more particularly described as follows:

Commencing at the Northwest corner of US Government Lot 2 (also the West quarter corner), Township 6 North, Range 1 West, Boise Meridian, marked by a found 1/2" iron pin; thence South 62°24'00" East (formerly South) along the West line of Lot 2, a distance of 750.00 feet to the Northwest corner of that certain Warranty Deed filed as Instrument No. 148431, records of Gem County, Idaho; thence North 89°55'51" East (formerly East) and parallel with the North line of Lot 2, and along the North line of aforementioned Warranty Deed, a distance of 306.00 feet to the Northeast corner of said Warranty Deed and the Real Point of Beginning; thence South 60°21'30" East (formerly South) and parallel with the West line of Lot 2 and along the East line of Warranty Deed filed as Instrument Nos 166431 and 161547, records of Gem County, Idaho a distance of 298 feet to the Southeast corner of Warranty Deed Instrument No. 161547; thence North 89°55'51" East (formerly East) and parallel with the North line of Lot 2 a distance of 24 feet; thence North 68°28'42" West (formerly North) and parallel with the West line of Lot 2 a distance of 298.80 feet; thence South 89°55'51" West (formerly West) and parallel with the North line of Lot 2 a distance of 24.00 feet to the Real Point of Beginning.

Thank you,

Josh Bishop



This Map and this display is a graphic representation derived from the Ada County Geographic Information Systems (GIS) data. It was designed and intended for print use only; it is not guaranteed survey accuracy.

This map is based on information available and was compiled from numerous sources which may not be accurate. Users are to field verify this information. Ada County and Eagle Point Solutions, PC are not liable for errors or omissions resulting from the use of this product for any purpose.





## ICRMP Workshop Training

January 28, 2020

The Emmett City Council held a ICRMP workshop meeting at 501 E. Main Street, Emmett, Idaho.

Mayor Petrie called the meeting to order at 5:30 p.m.

**Council Present:** Mayor Petrie, Council President Steve Nebeker, Councilman Tona Henderson, Councilman Gary Resinkin, Councilman Thomas Butler, Councilman Michelle Welch and Councilman Denise Sorenson.

**Staff Present:** City Clerk Lyleen Jerome, Police Chief Steve Kunka, Library Director Alyce Kelley, Public Works Director Clint Seamons, Systems Administrator Director Mike Knittel, Fire Chief Curt Christensen, Building Official/City Planner Director Brian Sullivan.

**Public Present:** Crystal Anderson – 8491 W. Idaho Blvd, April, Alex and Kendall MacDonald – 406 w 2<sup>nd</sup> St., Joe Morton – 5726 Silverleaf Ext.

### **ICRMP Workshop Training**

Jim McNall, ICRMP Risk Management Specialist gave a presentation to the Council titled Understanding Roles & Responsibilities for Boards and Councils. Further discussion ensued after presentation.

Councilman Henderson made a **MOTION TO ADJOURN. Seconded by Council President Nebeker. 6 – AYES, 0 – NOES. Motion Carried.**

**Meeting adjourned at 6:58 p.m.**

---

**Mayor Gordon Petrie**

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**City Clerk Lyleen Jerome**

## City of Emmett Council Meeting

January 28, 2020

The Emmett City Council held a regular meeting at 501 E. Main Street, Emmett, Idaho.

Mayor Gordon Petrie called the meeting to order at 7:00p.m.

Mayor Gordon Petrie led the **Pledge of Allegiance**

Al Cinnamon offered the **Community Invocation**

**Council Present:** Council President Steve Nebeker, Councilman Thomas Butler, Councilman Tona Henderson, Councilman Gary Resinkin, Councilman Sorenson, Councilman Michelle Welch

**Staff Present:** Lyleen Jerome, Brian Sullivan, Curt Christensen, Alyce Kelley, Steve Kunka, Clint Seamons, Mike Knittel.

**Public Present:** Joe Morton – 5726 Silverleaf ext., Thomas Driscoll – 481 E. Idaho Blvd., Kary Mavencamp – 2722 N. Washington Ave, Ted Kovark – 2121 Lower Bluff, Joe Zidele and Renee Rush – 970 N. Plaza, Karen & Robert Young- 110 Sales Yard, Lisa Resinkin – 1225 Blane St, Marie Willis 707 W 6<sup>th</sup> St., Mike Giery – 902 E. Locust, Laina Smalley- 1849 N Substation, Andrea Day – 909 W. South Slope Rd, Amy Manning – IIIA Insurance, Jeremiah Vickery – 2775 River Ranch Lane, Patrick Goff – HSB, Irena Lane 1080 Petersburg Ave., Bob Jensen – 523 E. 4<sup>th</sup> St. Ashley Holms – 2009 Sunrise St., Crystal Anderson – 8491 W. Idaho Blvd, Kendall, April and Alex Macdonald – 406 W 2<sup>nd</sup> St, Patricia Ulmer 8400 W. Idaho Blvd. Lea McKnight – 1080 Petersburg Ave.

**Amendments to the Agenda:** Item #7H on the agenda was asked to be withdrawn.

Councilman Nebeker made a **MOTION TO APPROVE THE AMENDED AGENDA. Seconded by Councilman Henderson. 6 -AYES, 0- NOES. Motion Carried.**

**Declaration of Conflicts of Interest:** - None

**Declaration of Council Members' Discussion Outside an Open Meeting:**

### **PRESENTATION:**

**A. PR2TA Pre-Engineering Student Recognition** – Mayor Gordon Petrie presented Community Gem Awards to Jake Johnson, Jonathan Floerchinger, William Barker and Matt Kovark for their collaborative efforts in revamping the Cherry Rise mechanism that is the center of the New Year's Eve celebration.

**B. Senior Fire Fighter Awards** – Andrea Day – President of The Emmett Fire Auxiliary presented, Fire Fighters - Lysie Vickery & Dan Church The black helmet honor. The helmets are bestowed to reflect their commitment and accomplishments as Emmett City Fire Fighters. Chief Christensen shared his appreciation for all the volunteers of the EFD.

### **CONSENT AGENDA:**

**A. Approval of Minutes** – January 14, 2019

**B. Approval of Accounts Payable.**

Councilman Henderson made a **MOTION TO ACCEPT THE CONSENT AGENDA. Seconded by Councilman Welch. 6 – AYES, 0- NOES. Motion Carried.**

### **NON-CONSENT AGENDA**

#### **BUSINESS:**

**A. III-A Annual Report** – Amy Manning, III-A Executive Director – gave the annual report for the City's insurance program.

**B. Lions Club, Thomas Driscoll & Police Chief, Steve Kunka** asked for approval of the Annual Emmett Cruise Night Controlled Cruise. Council President Nebeker made a **MOTION TO APPROVE THE EMMETT CRUISE NIGHT CONTROLLED CRUISE FOR JULY 18<sup>TH</sup> FROM 6-9PM AND TO FOLLOW THE RECOMMENDATIONS OF CHIEF KUNKA AND CITY STAFF. Seconded by Councilman Henderson. 6- AYES, 0 – NOES. Motion Carried.**

**C. - City Clerk, Lyleen Jerome** informed us that the County would like to postpone the Joint Meeting with Commissioners in reference to a Distracted Driving Code until the State has made a decision. Council President Nebeker made a **MOTION TO POSTPONE THE JOINT MEETING WITH THE COMMISSIONERS IN REFERENCE TO A DISTRACTED DRIVING CODE UNTIL A DECISION HAS BEEN MADE AT THE STATE LEVEL. Seconded by Councilman Welch. 6 – AYES, 0 – NOES. Motion carried.**

**D. City Clerk, Lyleen Jerome** asked for approval of FY 1<sup>st</sup> Quarter Financial Report Councilman Henderson made a **MOTION TO APPROVE THE FY 1<sup>ST</sup> QUARTER FINANCIAL REPORT. Seconded by Councilman Butler. 6 – AYES, 0 – NOES. Motion Carried.**

**E. City Clerk, Lyleen Jerome** asked for approval to Sign Personnel Plus Agreement. Council President Nebeker made a **MOTION TO APPROVE THE SIGNING OF THE PERSONNEL PLUS AGREEMENT. Seconded by Councilman Sorenson. COUNCIL PRESIDENT NEBEKER – AYE, COUNCILMAN HENDERSON – AYE, COUNCILMAN RESINKIN –**

City of Emmett Council Meeting

January 28, 2020

**AYE, COUNCILMAN BUTLER – AYE, COUNCILMAN WELCH – AYE, COUNCILMAN SORENSON – AYE. Motion carried.**

- F. Fire Chief, Curt Christensen asked for approval of Emmett Fire Department Alarm Assignments. Council Henderson made a **MOTION TO APPROVE THE EMMETT FIRE DEPARTMENT ALARM ASSIGNMENTS. Seconded by Councilman Resinkin. 6 – AYES, 0 – NOES. Motion Carried.**
- G. Police Chief, Steve Kunka & Fire Chief, Curt Christensen asked for approval to Sign Shared Agency Agreement for Police and Fire Departments. Council President Nebeker made a **MOTION TO APPROVE CHIEF KUNKA AND CHIEF CHRISTENSEN TO SIGN THE SHARED AGENCY AGREEMENTS AND TO ACCEPT THE COMPUTERATED DISPATCH AGREEMENT. Seconded by Councilman Welch. COUNCIL PRESIDENT NEBEKER – AYE, COUNCILMAN HENDERSON – AYE, COUNCILMAN RESINKIN – AYE, COUNCILMAN BUTLER – AYE, COUNCILMAN WELCH – AYE, COUNCILMAN SORENSON – AYE. Motion carried.**
- ~~H. Approve Agreement to Keller Associates, Inc. for 12<sup>th</sup> Street Booster Station  
Public Works Director, Clint Seamons~~
- I. Public Works Director, Clint Seamons asked for Approval of Agreement for Idaho Gem Grant – Barrus Commercial Center. Council President Nebeker made a **MOTION TO APPROVE THE AGREEMENT FOR THE IDAHO GEM GRANT – BARRUS COMMERCIAL CENTER AND CITY OF EMMETT WITH MAYOR TO SIGN. Seconded by Councilman Sorenson. COUNCIL PRESIDENT NEBEKER – AYE, COUNCILMAN HENDERSON – AYE, COUNCILMAN RESINKIN – AYE, COUNCILMAN BUTLER – AYE, COUNCILMAN WELCH – AYE, COUNCILMAN SORENSON – AYE. Motion carried.**
- J. Public Works Director, Clint Seamons asked for Approval of RESOLUTION #R2020-01 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EMMETT, IDAHO AUTHORIZING CITY TO ADMINISTER FUNDS FOR ITD'S TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT. Councilman Henderson made a **MOTION TO APPROVE RESOLUTION #R2020-01 AND FOR THE MAYOR TO SIGN. Seconded by Councilman Welch. COUNCIL PRESIDENT NEBEKER – AYE, COUNCILMAN HENDERSON – AYE, COUNCILMAN RESINKIN – AYE, COUNCILMAN BUTLER – AYE, COUNCILMAN WELCH – AYE, COUNCILMAN SORENSON – AYE. Motion carried.**

**DEPARTMENT/ ACTIVITY REPORTS**

- A. **Building Official/City Planner** – Brian Sullivan- presented report
- B. **City Clerk** – Lyleen Jerome – presented report and financial report for December
- C. **Fire** – Chief Curt Christensen – presented report
- D. **Library** – Alyce Kelley – presented report
- E. **Police** – Chief Steve Kunka – presented report.
- F. **Public Works** – Director Clint Seamons – presented report.
- G. **Systems Administrator** – Mike Knittel – presented report.
- H. **Engineer**

Councilman Henderson made a **MOTION TO ADJOURN, Seconded by Councilman Welch, 6 – AYES, 0 – NOES. Motion Carried.**

Meeting Adjourned at 8:31p.m.

\_\_\_\_\_  
Mayor Gordon Petrie

\_\_\_\_\_  
Lyleen Jerome, City Clerk



# City of Emmett



## Contractual Dispatch Services

### Survey and Overview

FY 2019/2020

Purpose Statement: To provide an overview and basic information in response to questions asked by city council members regarding dispatch fees, dispatch services, and what other cities across the state are doing related to this issue.

This document includes:

- The survey conducted with the results of the survey
- Historical payment data with the City of Emmett
- State Statutes related to E911 operations and funding

Overview: In Fiscal Year 2019/2020, the City of Emmett saw an increase in dispatch services from \$32,042 to \$44,900. This has brought inquiries from council members about dispatch fees. A snapshot was done, but additional questions were asked regarding the services and what is being done across the state of Idaho with other city police departments.

In a memo by Chief Nebeker to then Mayor Butticci, dated June 21, 2010, Chief Nebeker noted basic information relevant to dispatch and the city:

- City residents pay the same amount of County taxes for dispatch services that County residents pay
- The City residents pay city taxes that fund general fund, which pays for the police budget, which in turn pays for the additional dispatch fees. Most believe City residents are paying twice for the dispatch services.
- E911 funding comes from home and cell phone lines. There are many home phones and cell phones within the city limits, but the city has no say in E911 money being collected off these phone lines.
- Some agencies are paying for ILETS fees with E911 money. (Chief Nebeker noted on an invoice for FY11 that "ILETS paid by E-911 money.")
- Some cities have bartered with the county that in exchange for no additional dispatch fees, the city will or request their E911 money.

Despite the communications listed between Mayor Butticci and Chief Nebeker, 10 years later, members within the city still have similar concerns about dispatch services and the fees.

Research methodology: In addition to sending inquiries out to the Idaho Chiefs of Police Association list serve, interviews were conducted in person and via phone. Interviews were conducted with police chiefs or delegates, including city clerks. A prior study from the City of Weiser composed by Chief Greg Moon (2010) was reviewed, as well as the summary written by then Emmett Chief of Police Steve Nebeker.

Weiser Police Chief Moon references the counties are charging city residents twice for the same service. Weiser's study in 2010 showed of 58 city police agencies, 28 did not pay for dispatch services. Of the 30 cities that did pay for dispatch services, Chief Moon took the cost of dispatch and divided it by population to get the cost per person as a realistic cost comparison between cities. Chief Moon found there was a great disparity between the wages with some cities paying \$3 a person for dispatch and others as high as \$18 a person for dispatch. Moon noted this is above and beyond county taxes already paid to the county justice fund by city residents.

Chief Moon's survey included his professional observations that with the disparity there needed to be a fair and equitable system to assess the cost. Chief Moon recommended and encouraged the Chiefs to come together and approach the legislature about this issue. Chief Moon also recommended the cities to take up the issue with their elected leaders and the Association of Idaho Cities (AIC) for a resolution to address the disparity in fees.

Relevant news articles were also researched via an internet web engine search. Populations were obtained from the US Census American Fact Finder website ([https://factfinder.census.gov/faces/nav/jsf/pages/community\\_facts.xhtml?src=bkmk](https://factfinder.census.gov/faces/nav/jsf/pages/community_facts.xhtml?src=bkmk)) and show the estimated populations as of July 1, 2018. Using the population and contract costs, the cost was divided by the population to show the individual cost per person; placing the cost in perspective.

Additional questions posed during the interviews consisted of the below:

- Is there a formula used to determine what fees your city pays for dispatch? If so, what is this formula?
- If you contract with the county sheriff's office, does the sheriff's office cover pay and benefits including work comp for the dispatchers as the parent agency? Or are these items paid for by the city under the contract?
- Who pays for equipment in center – electricity, office supplies, new chairs, consoles, etc.
- When fees are increased, how are they justified?
- Do you have any control measures in place to limit or control the increase in fees annually?
- Is the contract negotiated annually or by other terms? If by other terms, how often?

Findings: There are 63 active city police departments in the state of Idaho. One department, Iona, was dissolved earlier this year. Of the 63 city police departments, 31 (49%) did not pay any additional fees to participate in dispatch services. For the purpose of this document, additional fees notated below are any fees outside of the tax revenue collected from assessments and E911/PSAP funds, which city residents pay.

Most dispatch centers are managed and operated under the direction of the county sheriff. There are a few exceptions to the rule such as Blaine County and Bonner County. Both are separate county entities with reporting directly to the Board of County Commissioners.

Bonneville County is uniquely jointly operated by the City of Idaho Falls Police, as a consolidated dispatch for all Bonneville County. Dispatch employees are employees of the city while the building and equipment was provided by the county.

The following cities operate their own dispatch centers: Chubbuck, Lewiston, Nampa, Pocatello, Post Falls, Twin Falls. Post Falls also provides dispatch services to Rathdrum. Moscow has contracted dispatch with nearby Pullman, Washington, creating a joint powers agreement (Idaho State Statutes: 67-23236 through 67-2333).

Magic Valley Cooperative Dispatch with Southern Idaho Regional Communications (SIRCOMM). Dispatches for 45 agencies (police, fire, EMS, public works) in Gooding, Jerome, Lincoln, and Twin Falls counties. Has a governing board of 4 county commissioners. City leadership is not represented on the Joint Powers Board. City police departments include covered includes Gooding, Jerome, Shoshone, Buhl, Filer, and Kimberly-Hansen.

Bonnors Ferry and Preston take the dispatch fees out of general fund and not out of each department's line item budget. Other cities divide the cost among the various departments within their respective cities.

Within the state there are also 3 Tribal Police Departments (Coeur d' Alene, Nez Perce, and Fort Hall). Nez Perce Tribal contracts with WHITCOM (Pullman, WA), while Fort Hall has their own dispatch center. The Coeur d' Alene elected not to contract with Benewah County, where the majority of tribal lands are, but instead went with nearby Kootenai County. Kootenai County Sheriff does charge for Coeur d' Alene Tribe roughly \$50,000 a year for dispatching.

For those agencies paying some have a formula for payment, others had a set amount that has been "the way it's always been." Formulas included paying for X amount of dispatcher(s) positions; paying based on the amount of use (calls, radio traffic, etc); population based on the size of the cities and the county. Emmett is on a "use" formula as noted below.

E911 fees were also better explained through the research and findings. \$1.25 for every phone line is collected and goes towards the E911 fees fund. The county (or receiving entity) receives \$1 a line. The extra \$0.25 goes towards a grant fund handled by the state of Idaho via the 911 Coordinator within the Idaho Military Division.

The location and recipient are based off the billing address on the phone line(s). For example, if there were 20 lines to 501 E. Main Street in Emmett, Idaho, then \$20 of E911 funds go towards the City of Emmett (based on billing address). The city not having a proprietary 911 center, this funding defaults to Gem County, who handles the E911 funds. In most counties it is the County Clerk who collects all the money and then divides funding out to cities with their own 911 center. This would be cities like Twin Falls, Post Falls, Pocatello, etc.

Use Formula

Below is the practical application of the use formula using the current numbers presented in FY 19/20 for the City of Emmett and Gem County to determine the city's cost. It does not account for E911 funds.

\$393,951.39	Total Dispatch Expenses for Fiscal Year (without court security position & unemployment)
39.13%	City's percentage of total dispatch calls
<b>\$154,164.83</b>	<b>City's share of total dispatch expenses for fiscal year</b>
-	Reduced by
\$295,188,461	Total Yearly county property tax revenue paid by city residents
x	Multiplied by
.004652357	County levy rate
\$1,373,322.10	= Amount of Tax Revenue multiplied by County Levy Rate
/	Divided by
\$5,043,189	Yearly total county property tax revenue
0.272312242	= Tax Revenue x County Levy Divided by Total County Property Tax Revenue
X	Multiplied by
\$393,351.39	The total yearly dispatch expenses
<b>\$107,277.79</b>	<b>City's Total Tax Contributions for Dispatch Service</b>
<b>\$46,875.39</b>	Equals the amount due for the <i>following</i> fiscal year as the city's payment to the county for dispatch. This includes city police and city fire. Taken from City share of dispatch expenses reduced by the city's total tax contributions for dispatch.